

REMARKS

The Official Action mailed May 11, 2011, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on July 14, 2006; September 11, 2006; June 25, 2009; July 15, 2010; December 16, 2010; January 21, 2011; and April 14, 2011.

An Information Disclosure Statement was submitted on July 5, 2011 and consideration of this Information Disclosure Statement is respectfully requested.

A further Information Disclosure Statement is submitted herewith and consideration of this Information Disclosure Statement is respectfully requested.

Claims 1, 3-8, 10-15, 17-19, 21-23, 25-27 and 29-40 are pending in the present application, of which claims 1, 8, 15, 19, 23, 27, 31, 33, 35 and 36 are independent. The Applicant notes with appreciation the allowance of claims 8, 10-14, 19, 21, 22, 27, 29, 30, 33-35, 39 and 40. Allowed claim 8 has been amended for further clarity to recite that the separating sheet is over the wiring and is believed to remain allowed. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 3 of the Official Action rejects claims 1, 3, 7, 15, 17, 18, 23, 25, 26, 31, 32 and 36-38 as anticipated by JP 11-020360. The Applicant respectfully traverses the rejection because the Official Action has not established an anticipation rejection.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Independent claims 1, 15, 23, 31 and 36 each recite the feature "the wiring is electrically connected to the antenna through a contact hole formed in the insulating

layer.” In making the rejection, the Official Action alleges that Inoue discloses “an antenna (18)” (see page 3, line 4 of the Office Action). The Applicant respectfully disagrees. Numerals 18A-18C of Inoue do not teach antennas, but instead describe wirings (see for example, paragraph [0030] of Inoue). Thus, as Inoue fails to teach an antenna, Inoue cannot teach the claimed feature in which “the wiring is electrically connected to the antenna through a contact hole formed in the insulating layer.”

Further, the Official Action alleges that an interlayer insulating film 154 of Inoue corresponds to the claimed insulating layer, and that an electrode exposed portion 141 of Inoue corresponds to the claimed wiring. From this the Official Action alleges that Inoue teaches “the wiring is electrically connected to the antenna through a contact hole formed in the insulating layer” (see page 3, lines 7-11 of the Office Action). The Applicant respectfully disagrees.

Alleged interlayer insulating film 154 of Inoue is a part of a TFT included in a thin-film device layer 140 (see paragraphs [0096] and [0098] of Inoue). The thin-film device layer 140 of Inoue is alleged to correspond to the claimed integrated circuit device (see page 3, lines 5-6 of the Office Action). Moreover, Inoue does not appear to teach that the electrode exposed portion 141 is electrically connected to the wirings 18A-18C through a contact hole formed in the insulating layer (see paragraph [0067] of Inoue).

Therefore, the Applicant respectfully submits that Inoue does not teach the above features, either explicitly or inherently.

Since Inoue does not teach all the elements of the independent claims, either explicitly or inherently, an anticipation rejection cannot be maintained. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 102 are in order and respectfully requested.

Paragraph 6 of the Official Action rejects claims 4-6 as obvious based on Inoue. The Applicant respectfully traverses the rejection because the Official Action has not made a *prima facie* case of obviousness.

As stated in MPEP §§ 2142-2144.04, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

Inoue is discussed above and fails to teach each and every feature of independent claim 1. Accordingly, for at least these reasons, a *prima facie* case of obviousness has not been met with respect to dependent claims 4-6.

Therefore, Applicant believes the rejection of claim 4-6 is not proper.

Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280.

Respectfully submitted,



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